

CEQA

NOTICE OF PREPARATION OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR ADOPTION OF DISTRICT REGULATION 12: MISCELLANEOUS STANDARDS OF PERFORMANCE, RULE 12: FLARES AT PETROLEUM REFINERIES AND AMENDMENT OF REGULATION 8: ORGANIC COMPOUNDS, RULE 2: MISCELLANEOUS OPERATIONS

TO:	«Company»	FROM:	Bay Area Air Quality
	«Address1»		Management District
	«Address2»		939 Ellis Street
	«City», «State» «PostalCode»		San Francisco, CA 94109

Interested Agencies, Organizations and Individuals:

Subject: Notice is hereby given that the Bay Area Air Quality Management District (Bay Area AQMD or District) will be the lead agency and will prepare an Environmental Impact Report (EIR) in connection with the project described in this notice. This Notice of Preparation is being prepared pursuant to California Public Resources Code § 21080.4 and CEQA Guidelines Section 15082.

Project Title: Bay Area AQMD proposed Regulation 12: Miscellaneous Standards of Performance, Rule 12: Flares at Petroleum Refineries and amendment to Regulation 8: Organic Compounds, Rule 2: Miscellaneous Operations.

Project Location: The rule will apply within the Bay Area AQMD, which includes all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties, and the southern portions of Solano and Sonoma counties.

Project Description: The District is proposing to adopt a new rule, Regulation 12: Miscellaneous Standards of Performance, Rule 12: Flares at Petroleum Refineries. The proposed rule will prohibit flaring that is not associated with a startup, shutdown or malfunction and not necessary for the safe operation of the refinery. Also, each refinery will have to submit plans to reduce flaring in all circumstances and adhere to those plans when approved by the District. In addition, each refinery will have to update plans yearly and in association with major plant modifications, notify staff of flaring episodes, conduct a causal analysis of flaring episodes, and provide an annual report on flaring at low flow rates. Water seal levels in flare systems will have to be monitored and recorded. The District is also proposing to amend Regulation 8: Organic Compounds, Rule 2: Miscellaneous Operations, to clarify that this rule does not apply to sources subject to the new Regulation 12, Rule 12.

Probable Environmental Impacts: Adoption of a new rule to limit flaring operations at petroleum refineries is intended to and expected to benefit public health and the environment. However, the District has chosen to prepare an EIR to ensure a comprehensive evaluation of any potential impacts. Attached to this notice is an Initial Study. The Initial Study outlines the areas of potential environmental impact that will be further reviewed in the draft Environmental Impact Report.

Response: This notice provides information on the above project and provides you an opportunity to submit comments on potential environmental effects that should be considered in the EIR. If the proposed project has no bearing on you or your agency, no action on your part is necessary. Due to the time limits mandated by State law, your response must be sent at the earliest possible date but ***not later than 30 days*** after receipt of this notice. If you or your agency wishes to submit comments, they may be sent to Alex Ezersky, via the contact information below.

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